

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TEXTRON INNOVATIONS INC.,

Plaintiff,

Civil Action No. 05-486 (GMS)

v.

THE TORO COMPANY,

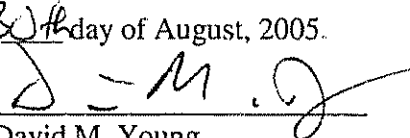
Defendant.

DECLARATION OF DAVID M. YOUNG

I, David M. Young, depose, declare and state as follows:

1. My name is David M. Young. I am an attorney and a partner with the law firm Hunton & Williams, LLP, which represents the plaintiff Textron Innovations Inc. in the above action. I am over eighteen years old, and the facts stated herein are based on my own personal knowledge, and if called at trial, I could and would testify competently as those the facts.
2. Attached to this declaration as Exhibit A is a true and correct copy of a press release obtained on August 29, 2005 from the web site at uniform resource locator ("URL") www.toro.com, and dated June 2, 2005.
3. Attached to this declaration as Exhibit B is a true and correct copy of a document downloaded on August 29, 2005 from the web site at www.toro.com, obtained by selecting "Delaware" as the search criteria.
4. Attached to this declaration as Exhibit C is a true and correct copy of a document entitled "Toro Advantage," and dated January 2005, downloaded on August 29, 2005, from the web site at www.toro.com.

Signed under the pains and penalties of perjury, this 30th day of August, 2005.



David M. Young

EXHIBIT A



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The Toro Company Helps Historic Venues Prepare for the 2005 Open Championships

BLOOMINGTON, Minn. – June 2, 2005 - When today's greatest golfers step on the course during the 2005 U.S. Open at Pinehurst and The Open at St. Andrews, they'll be vying for championships on two of golf's most storied venues. Both are rich in history and familiar to golf's legends. In addition, both are familiar with The Toro Company (NYSE: TTC). Toro has built strong relationships with golf courses for nearly a century. Today, Toro provides commercial maintenance equipment, irrigation systems and superior local support to both venues as well as to golf courses worldwide.

"Professional tournaments continue to raise the bar in golf by ensuring the game's most rigorous and fair tests of skill," said Mike Hoffman, president and CEO of The Toro Company. "As the game evolves, so does Toro. We are committed to developing innovative solutions to help achieve optimal course conditions, and we are proud to partner with Pinehurst and St. Andrews to provide superior golf experiences."

Toro equipment has cared for Pinehurst Number 2 since 1927. In fact, Toro is a leading supplier of golf course irrigation and maintenance equipment worldwide. By developing innovative technologies, providing top-notch equipment and building strong relationships with golf course managers, Toro is committed to providing championship-caliber service for all golf venues.

"Toro works hard to eliminate the problems that keep superintendents up at night," Hoffman added. "This is especially critical for those managing at the championship level, but equally beneficial for the average course in a competitive environment or a private course with demanding members. One of our latest innovations is an aerator with tires that does not run over the cores. What sounds so simple actually translates to easier clean up and less mess on the green. It's a difference golfers notice and superintendents appreciate."

In addition to golf course partnerships, Toro's equipment and expertise are utilized at a variety of other athletic venues including Wimbledon, various Athens Olympic facilities, all outdoor Super Bowl venues, the University of Notre Dame, soccer's World Cup and Disney's Wide World of Sports(R) complex.

About The Toro Company:

The Toro Company (NYSE: TTC), with \$1.6 billion in sales annually, is a leading provider of outdoor maintenance and beautification products for home, recreation, and commercial landscapes around the world. Together with its distributors, Toro provides innovative products, agronomic expertise and exemplary service that helps consumers and professionals maintain their landscapes. Visit the company website at <http://www.thetorocompany.com>. Distributor information is available at 1-800-803-8676.

EXHIBIT B



Count on it.

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COMMERCIAL - DELAWARE

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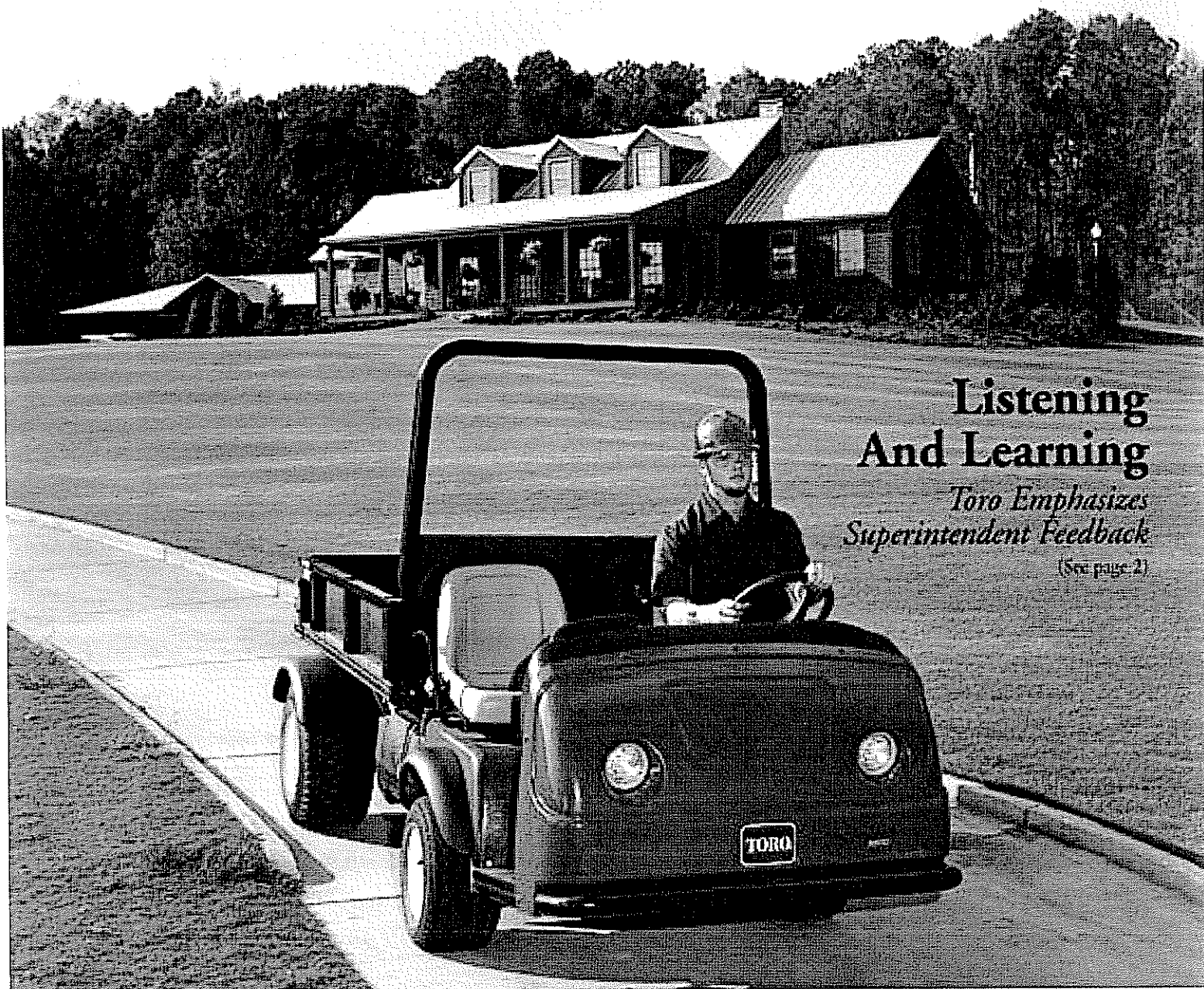
EXHIBIT C

TORO

Advantage

Issue No. 10, January 2005

Information From Toro to Help YOU and YOUR Course



**Listening
And Learning**
*Toro Emphasizes
Superintendent Feedback*
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Back Where It Belongs |
| 6 Toro NSN®
Always There For You | 14 Options & Attachments
New Toro® Fairway Groomers |



Count on it.



Listening And Learning

Superintendent Feedback Helps Shape Toro Equipment



So, what do you think? That can be a very important question, and it's one that's asked quite often at Toro. Naturally, any product we make or service we provide can only succeed if superintendents need it—and the best way to find out is to ask, and to listen.

"Ultimately, we're just trying to serve our customers, and you can't possibly do that if you're not talking to them," says Darren Redetzke, Director of Golf Marketing at Toro. "Actually, it's 90% listening and 10% talking. But it's their needs that we're trying to meet, and they're the ones who help us discover those needs."

Toro has always put a major emphasis on customer feedback at all levels. Traditionally, that involved methods like written questionnaires and "focus groups," where several superintendents would gather to answer questions and discuss specific topics. Also, Toro representatives would frequently visit with superintendents at their courses, or bring a few customers to a site to preview a certain new piece of equipment.

At such a gathering, one of the attendees was Tim Lacy, a Golf Course Superintendent from Mississippi. He and some of his peers had been invited to take an early look at a new Toro prototype: the original Heavy Duty Workman® utility vehicle.

The Toro Workman was previewed at FarmLinks research and demonstration golf courses, where superintendents had an opportunity to give their feedback.

Superintendents' Wish List

"I was with a group of superintendents, and they showed us the Workman they were testing to find out what we might want in it," Lacy recalls. "Well, we came up with a long list of things."

Then two years later, Toro announced the introduction of the Workman at the GCSAA Show in New Orleans. Lacy was there.

"Toro was the first booth I went to that day, to look at that unit and see if they had actually listened to us," he says. "I was pleasantly surprised. Everything the superintendents discussed had been implemented. I couldn't think of one thing that we told them we'd like, that wasn't there when it was introduced. And some of them seemed impossible."

Jeff Elliott, Superintendent of the

Colonial Country Club in Fort Worth, Texas, agrees. He was also a member of that preview group. "I always thought Toro listened to us better, and they actually built the equipment better to make it last longer."

"I guess the Workman was a result of our input," Elliott says. "Several superintendents helped design it by telling what they wanted out of a work vehicle."

Getting feedback from superintendents—and following it—has long been instrumental in Toro product development. And many times, the sooner, the better.

"It used to be that you were much farther down the prototype path before getting customers involved," says Redetzke. "Now we want their feedback not only earlier, but throughout the process. More